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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/574,647

08/04/2008

Martin Randler

10191/4183

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KENYON & KENYON LLP
ONE BROADWAY
NEW YORK, NY 10004

EXAMINER

ANYIKIRE, CHIKAODILI E

ART UNIT

PAPER NUMBER

2482

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DELIVERY MODE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--|--|--|
| Office Action Summary | Application No. 10/574,647 | Applicant(s) RANDLER, MARTIN | |
| | Examiner CHIKAODILI ANYIKIRE | Art Unit 2482 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 March 2011.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 August 2008 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 12-27 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 12-27 rejected under 35 U.S.C. 102(b) as being anticipated by Yamamura et al (US 2003/0060936, hereafter Yamamura).

As per **claim 12**, Yamamura discloses a method for providing driving assistance to a driver of a vehicle, comprising:

obtaining a composite lane information regarding a road lane in which the vehicle is traveling, wherein the composite lane information is derived from at least two characterizing information items regarding the lane (Figure 1 element 50; paragraph [0090] lines 4-8); and

triggering at least one of an output of driver-assistance information and a vehicle-control action based on the composite lane information (Figure 1 element 52; paragraph [0091]);

wherein the composite lane information is derived at least partially based on at least one of the following: a preceding vehicle or an oncoming vehicle, tracks of preceding vehicle, a lane boundary, a barrier or a guardrail, and a curb or other road edge structure (paragraphs [0089] and [0090]).

As per **claim 13**, Yamamura discloses the method as recited in claim 12, wherein the composite lane information is derived at least partially based on lane boundary markings detected from an image of the road lane obtained using a camera (paragraphs [0097] - paragraph [0099]).

As per **claim 14**, Yamamura discloses the method as recited in claim 13, wherein the composite lane information is derived at least partially based on objects detected from the image of the road lane (paragraph [0089] lines 8 – 10).

As per **claim 15**, Yamamura discloses the method as recited in claim 14, wherein the composite lane information is derived at least partially based on at least one of an oncoming vehicle, a preceding vehicle, and a stationary object that marks a boundary of the road lane (paragraph [0097]-[0099]).

As per **claim 16**, Yamamura discloses the method as recited in claim 14, wherein the composite lane information is derived at least partially based on tracks of a preceding vehicle (paragraph [0089] lines 17-22).

As per **claim 17**, Yamamura discloses the method as recited in claim 14, wherein each information used to derive the composite lane information is assigned a quality index value (paragraph [0091] lines 1-8; the risk is the quality index value).

As per **claim 18**, Yamamura discloses the method as recited in claim 17, wherein the assigned quality index value for each information used to derive the composite lane information is considered for deriving the composite lane information (paragraphs [0091] and [0092]).

As per **claim 19**, Yamamura discloses the method as recited in claim 18, wherein the quality index value is derived from at least one a contrast of the image and a deviation between stored estimated lane boundary data and measured lane boundary data (paragraph [0092]).

As per **claim 20**, Yamamura discloses the method as recited in claim 18, wherein the composite lane information and the assigned quality index values are transmitted to an analyzer unit for analysis (paragraphs [0091] and [0092]).

Regarding **claim 21**, arguments analogous to those presented for claim 12 are applicable for claim 21.

Regarding **claim 22**, arguments analogous to those presented for claim 18 are applicable for claim 22.

As per **claim 23**, Yamamura discloses the driver assistance system as recited in claim 21, wherein the composite lane information is derived at least partially based on tracks of a preceding vehicle (paragraphs [0089]-[0091]).

As per **claim 24**, Yamamura discloses a method for providing driver assistance based on lane information, the method comprising:

determining the lane information using image information from a camera, wherein the lane information includes first track and additional track data (paragraph [0089]);

triggering one of driver information and a steering intervention based on the lane information, wherein the first track data are determined based on image information concerning lane edge markings, wherein additional track data are determined based on other information based on the image information from the camera, the other information being alternative to the lane edge markings, from which a course of the roadway is derived, and wherein the first track data and the additional track data are brought together to form the track data used for providing driver assistance (paragraphs [0089]-[0091]).

Regarding **claim 25**, arguments analogous to those presented for claim 1 are applicable for claim 25.

Regarding **claim 26**, arguments analogous to those presented for claim 24 are applicable for claim 26.

Regarding **claim 27**, arguments analogous to those presented for claim 1 are applicable for claim 27.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHIKAODILI ANYIKIRE whose telephone number is (571)270-1445. The examiner can normally be reached on Monday to Friday, 7:30 am to 5 pm, EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272 - 7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/CHRISTOPHER S KELLEY/
Supervisory Patent Examiner, Art
Unit 2482

/Chikaodili E Anyikire/
Examiner, Art Unit 2482